

08/04/03  
13142 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 9280.2

DATE: August 4, 2003

03917 U.S. PTO  
10/633835  
08/04/03

UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: \_\_\_\_\_; filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference in its entirety.  
☒ and claims the benefit of Provisional Application No. 60/401,170; filed August 5, 2002.

Inventor(s) or Application Identifier:

**Tedd D. Elich**, Durham, North Carolina; **Sandra L. Volrath**, Durham, North Carolina; **Stephanie C. Weatherly**, Durham, North Carolina

Entitled: **RECOMBINANT BIOTIN CARBOXYLASE DOMAINS FOR IDENTIFICATION OF ACETYL CoA CARBOXYLASE INHIBITORS**

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec, P.A.  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 35 pages of Specification (including 22 claims)
3. ☒ 21 sheets of Formal Drawings (35 USC 113)
4. ☐ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

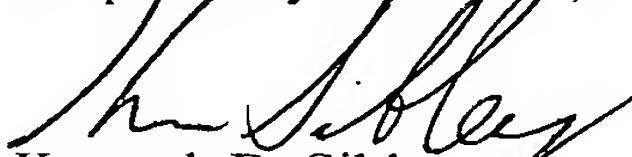
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☐ Information Disclosure Statement, PTO-1449, and \_\_\_\_\_ references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of \_\_\_\_\_ Application No. \_\_\_\_\_ ; Filed
14. ☒ Sequence Listing/ Sequence Listing Diskette
  - a. ☒ computer readable copy
  - b. ☒ paper copy
  - c. ☒ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☒ Other: Application Filed Under 37 CFR 1.41(c)

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$ 750.00
TOTAL CLAIMS	22 - 20 =	2	x 09 = \$	x 18 = \$36.00
INDEP CLAIMS	2 - 3 =	0	x 42 = \$	x 84 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$786.00

- ☒ A check in the amount of **\$786.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$ \_\_\_\_\_.
- ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☐ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
  - b. ☐ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
Kenneth D. Sibley  
Registration No. 31,665

#### CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV318420960US

Date of Deposit: August 4, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.

  
Vickie Diane Prior

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Elich, et al.  
Serial No. To Be Assigned  
Filed: Concurrently Herewith  
For: **RECOMBINANT BIOTIN CARBOXYLASE DOMAINS FOR  
IDENTIFICATION OF ACETYL CoA CARBOXYLASE INHIBITORS**

August 4, 2003

MAIL STOP PATENT APPLICATION

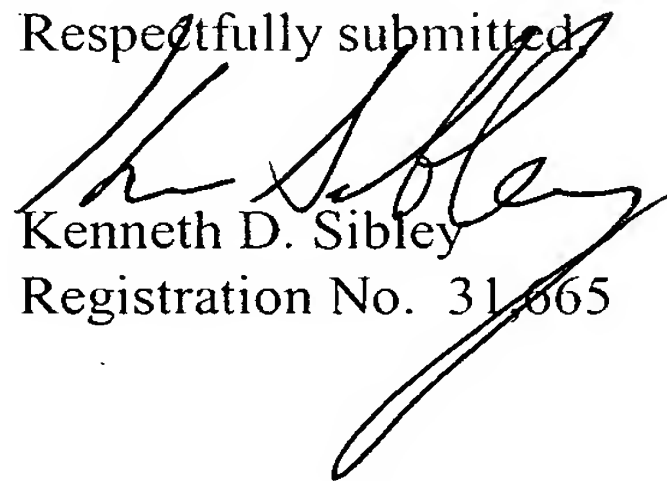
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION FILED UNDER 37 CFR 1.41(c)

Sir:

The above-identified application is being filed on behalf of the inventors, **Tedd D. Elich**, Durham, North Carolina; **Sandra L. Volrath**, Durham, North Carolina; **Stephanie C. Weatherly**, Durham, North Carolina, under the provisions of 37 CFR 1.41(c). A Declaration and Power of Attorney from the inventors will follow, 37 CFR 1.63.

Respectfully submitted,


  
Kenneth D. Sibley  
Registration No. 31,665

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Myers Bigel Sibley & Sajovec  
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Raleigh, North Carolina 27627  
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Vickie Diane Prior